

Panaji, 21st February, 1974 (Phalguna 2, 1895)

SERIES II No. 47

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Home Department (General)

Notification

No. HD-(G)-10-4/67

In amplification of the notification of even number dated 31st December, 1973, the following shall be added as paragraph no. 4 in the said notification.

«4. The Committee shall also consider such cases of freedom fighters who have applied for the grant of pension from Central Government as may be referred to them by Government and shall give their recommendation as to their eligibility for pension».

By order and in the name of the Administrator of Goa, Daman and Diu.

G. M. Sardesai, Under Secretary (Home).

Panaji, 11th February, 1974.

Notification

No. HD(G)-34-62/73

The Government of Goa, Daman and Diu is pleased to establish a Police Outpost at Colva with immediate effect. The Outpost shall have jurisdiction over the villages of Colva, Seraulim, Betalbatim and Serbabatim, and shall function under the Margao Rural Police Station within the Sub-Division of Margao.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. M. Sardesai, Under Secretary (Home).

Panaji, 12th February, 1974.

Industries and Power Department

Notification

No. 5-73-IPD/RNSE/74

Whereas one Shri Rajaram N. S. Bandekar, from Sambhaji has been granted a mining lease under title of concession No. 84 dated 3-10-1952 for Fer/Manganese over an area of 99.4500 Ha. at Pale of Bicholim Taluka.

And whereas the said Shri Rajaram N. S. Bandekar has applied to the Govt. by his application dated 3-1-1973 requesting for transfer of the above mining lease in favour of M/s Bandekar Brothers Pvt. Ltd. a company registered

under the Companies Act, 1956 and having its registered office at Sambhaji.

And whereas the said Shri Rajaram N. S. Bandekar has complied with the provisions of Rule 37 of the Mineral Concession Rules 1960.

And whereas the Government is agreeable for effecting the said transfer.

Now, therefore, in exercise of the powers conferred by Rule 37 of the Mineral Concession Rules, 1960, the Lt. Governor of Goa, Daman and Diu hereby transfers with immediate effect the mining lease granted to Shri Rajaram N. S. Bandekar under title of concession No. 84 dated 3-10-1952 for Fer/Manganese over an area of 99.4500 hectares at Pale of Bicholim Taluka in favour of M/s Bandekar Brothers Pvt. Ltd. for the remainder of the period of leave.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. Noronha, Under Secretary, Industries and Labour
Panaji, 12th February, 1974.

Labour and Information Department

Order

No. LC/1/ID/(203)/72/73

The following Award given by Shri N. D. Bodade, Deputy Chairman of Mormugao Dock Labour Board, Mormugao, Goa, on an Industrial Dispute between M/s. Goa Bottling Company Private Limited, Margao (Goa) and their workmen employed under them is hereby published as required vide provisions of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947):—

Arbitration award under section 10(A) of the Industrial Dispute Act, 1947 in respect of dispute between the Management of Goa Bottling Co. Pvt. Ltd. and their workmen

Present:

Shri N. D. Bodade, Regional Labour Commissioner, (C), on deputation to Mormugao Dock Labour Board, Mormugao, Harbour, as Deputy Chairman.

Parties:

(A) *Representing the Management of Goa Bottling Co. Pvt. Ltd.*

1. Shri R. S. Kamat, Managing Director.

(B) *Representing Workmen.*

1. Shri Shivram Ajgaonkar, «Kamgar Karlaya» Behind Municipal Office, Panaji—Goa.

AWARD

By and Arbitration Agreement published in the (Extraordinary) Official Gazette, Government of Goa, Daman and Diu, Panaji, vide Government Order No. LD/1/ID(203)/72-73

dated 23rd April, 1973, parties abovenamed referred two specific issues to my Arbitration under Section 10A of the Industrial Disputes Act, 1947. The agreement inter alia provided that the decision of the Arbitrator will be binding on them.

The specific matters in dispute referred to my Arbitration and decision are as follows:—

(a) «Whether the Management of Messrs. Goa Bottling Co. Pvt. Ltd., Margao (Goa) was justified in dismissing Shri Eliz Rodrigues, Driver-cum-Salesman and Shri Menino Barreto, Driver and in suspending Shri Shamsunder V. Amonkar, Driver-cum-Salesman.

If not to what relief they are entitled?»

(b) «Whether Shri Guilherme D'Costa, Mechanic is an Employee of M/s Goa Bottling Co. Pvt. Ltd., Margao (Goa) or not?»

(Shri Guilherme D'Costa has been notified by both the parties as William D'Costa in their respective written Statements and for the purpose of this Arbitration William D'Costa is to be taken as Guilherme D'Costa).

As per one of the terms of the Arbitration Agreement, I was to give my award within 30 days. Since the copies of the reference published in the Official Gazette referring the above dispute for my Arbitration was not made available to me in time, the parties extended the time limit by mutual consent for proceeding with the case.

The parties were asked vide this Office Letter No. MDLB-2 (27)/73 dated 25th May 1973 to submit their written statements on the above case. Management of Goa Bottling Co. Pvt. Ltd. hereinafter referred to as «Management» submitted their written statement vide their letter dated 8-6-1973 which was received in this office on 14-6-1973. Shri Shivram Ajgaonkar, Chairman, Goa National Commercial Employees' Sangh, «Kamgar Karyalaya», behind Municipal Office, Panaji, Goa, hereinafter referred to as «Sangh» submitted their written Statements vide their letter dated 4-8-1973 which was received in this office on 6-8-1973. Due to various reasons, the case could not be heard expeditiously. The Sangh submitted the rejoinder in support of claims of the Workmen vide their letter dated 10th September 1973. The parties further filled their joint statement intimating that they have amicably settled the dispute in respect of Mr. Menino Barreto and Mr. Shamsunder Amonkar and requested me to take up the issue regarding Shri Eliz Rodrigues, Driver-cum-Salesman and William D'Costa, Mechanic, for investigation and decision and to pass an Award in terms of the agreement arrived between the parties as far as the disputes in respect of Shri Menino Barreto and Shri Shamsunder Amonkar.

In view of the terms contained in the aforesaid joint Memo, only two specific matters regarding the dispute of Shri Eliz Rodrigues and Shri William D'Costa, Mechanic, remained for my investigation and decision.

The case was fixed for final hearing on 13th Nov.-1973 at 10 a. m. in my office when Shri K. Saudagar, Personnel Officer, appeared for the Management while Shri Shivram Ajgaonkar, President, National Commercial Employees Sangh, appeared on behalf of the workmen.

The case of the Sangh is as under:—

1. Shri Eliz Rodrigues, Driver-cum-salesman, was placed under suspension on 24-1-1973 and his services were arbitrarily terminated by the Management perverting to act on the findings and conclusion arrived at by the Enquiry Officer into the charges levelled against Shri Eliz Rodrigues vide their letter No. GB/30/119 dated 9th February, 1973.

According to the Union, the Workman in question was not afforded the reasonable opportunity for defending his case. The Enquiry Officer being an outside Lawyer should not have been made as an Enquiry Officer. The charge sheet itself is illegal, and not good in law. The Workman was neither asked to bring any evidence nor an opportunity was given to adduce his evidence. The Management does not seem to have standing orders. The Workman was not told as to the procedures adopted for holding a domestic enquiry and was not informed to bring his witnesses or Union Office bearer to represent his case fully. Hence the enquiry suffers from a serious infirmity and liable to be set aside.

2. The case of Shri William D'Costa, Mechanic

The case of the Sangh is that Shri William D'Costa was in the employment of Goa Bottling Co. P. Ltd., doing the work of repairing the vehicles of the Company on a monthly remuneration of Rs. 200/- p.m. The Management suddenly stopped this Workman from coming to employment on the ground that he was independent contractor and his service contract came to an end. The contention of the Management that Shri William D'Costa was an independent Contractor is opposed to facts and he was a full time Employee enjoying all benefits. In support of his contention, the Sangh produced a letter No. GB/38/573 dated the 22nd Nov.-1972 in which the Plant Manager required Shri William D'Costa, Mechanic, to work on all Sundays w.e.f. 26th November-72 and he would be given his weekly off on Thursday.

He was also asked to inform the requirements of the materials for maintenance of the trucks on previous day — *Exhibit W1. Exhibit W2.* is a letter to Shri William D'Costa intimating him to stop maintenance and repairs of all the vehicles w.e.f. 7th March, 1973. However, he was requested to submit his quotation for major overhauling of the Bedford Trucks.

The Sangh argued that in the light of his submission and in the light of the contents contained in Exhibit-W1 and W2, Shri William D'Costa was an Employee of the Management and as such he requested the Arbitrator to declare that Shri William D'Costa is an Employee of the Management.

As against this, the case of the Management is as under:

Shri Eliz Rodrigues was in the services of the Employer as a Driver-cum-salesman. In his capacity as Salesman, he was provided with large quantities of Company's products such as Gold spot, Kismet, Parle-soda, etc. As a Driver-cum-salesman, it was his duty to sell the Company's products to the Customers and received the sales proceeds. Very often the said Workman was in the habit of retaining the sales proceeds with him without depositing the same with the Company's Cashier. Repeated warnings oral as well as writing to the said Workman in this behalf was found to be useless. This amounts to criminal misappropriation. The Management further stated that Shri Eliz Rodrigues was arrested by the Police on 23-1-1973 under Section 117 of the M. V. Act. (In support of this, they produced a letter marked as *Exhibit M1*). This is a letter addressed by the Police Station Colem to the Management reporting that Shri Eliz Rodrigues was driving a vehicle No. GDT-6215 under the influence of Alcohol. While he was released by the Police on the same day, he caused a damage to the vehicle by dashing against an electrical pole wherein another leader by name Shri Tukaram was injured. Management vide their letter dated 24-1-1973 intimated that he was kept under suspension for driving the vehicle under the influence of liquor and he was further informed that the enquiry into the said allegations would be held by Shri M. R. Bhat, Advocate of Canacona on 31-1-1973 at 3 p. m. A fair and proper enquiry into the above was held and the enquiry Officer came to the conclusion that the charge was proved. The Management accepted the findings of the Enquiry Officer into the allegations levelled against Shri Eliz Rodrigues. Based on the findings of the Enquiry Officer and also the past records, the Workman was dismissed from services for a proved misconduct after holding a proper enquiry. Hence the reference in regard to Shri Eliz Rodrigues is liable to be rejected.

As far as the dismissal of Shri Eliz Rodrigues by the Management is concerned, the following points emerge for my consideration:

1. Whether the Enquiry suffers from any infirmity?
2. Whether the charge against Shri Eliz Rodrigues has been proved?
3. If not what is the result?

Shri Eliz Rodrigues was charged with the misconduct of driving the Company's vehicle under the influence of liquor on 23-1-1973 vide Management's letter dated 24-1-1973 which appears to be a charge sheet cum notice of enquiry cum the order of suspension:—

The enquiry into the said charge appears to have been held on 31-1-1973 as per schedule. But the so called enquiry proceedings does not indicate whether the Workman charged was allowed to cross-examine the Management witnesses nor did he decline to avail the opportunity of cross examining the witnesses. Neither the charge sheet nor the enquiry proceedings filed before me indicate whether the workman charged was told the procedure for holding enquiry and his right to representation, right to cross examination or right to adduce evidence in support of his defence.

When the charge against the Workman was driving the vehicle under the influence of liquor, the witnesses for prosecution gave evidence in respect of certain other things such as causing damage to vehicle and causing injury to leader Shri Tukaram Gawas.

In my opinion the Enquiry was outside the scope of his Authority to have recorded evidence in respect of matters not covered by the charge sheet for which workman was not prepared for defence.

Further, the order of dismissal No. CB/30/119 dated 9-2-1973 indicates that the charge of driving the vehicle under the influence of liquor by Shri Eliz Rodrigues was proved as per the findings of Enquiry Officer, Shri M. R. Bhat. The Management has not produced the enquiry report of the Enquiry Officer including the findings thereon. In the absence of the said report of the Enquiry Officer, I am not in a position to accept the mere statement of the Management in this regard. On the other hand, the judgement of the Court shows that Shri Eliz Rodrigues was not under the influence of Alcohol. Medical report relied upon by the Court showed that the charged workman was not under the influence of liquor. Such being the case, I am at a loss to know how the Enquiry Officer came to the conclusion that the workman was guilty of driving the vehicle under the influence of the liquor. The mere statement of the Manager, Shri Borker and Shri Tukaram Gawas cannot take the place of proof.

In the light of the judgement of the Court acquitting the Workman for the charge under Section 117 of the M. V. Act and in the absence of the Enquiry Report of the Enquiry Officer concluding that the charge against Workman was proved, I hold that the charge that Shri Eliz Rodrigues was driving the vehicle under the influence of liquor, has not been proved. Hence the dismissal is wrongful and therefore the said dismissal order is set aside. In the result, Shri Eliz Rodrigues, Driver-cum-salesman is ordered to be reinstated to his original post with back wages and continuity of services and such other consequential benefits.

As regards Shri William D'Costa, I am called upon to decide as to whether Shri William D'Costa, Mechanic, is an Employee of the Management?

The Management contended that Shri William D'Costa was never an employee with them. He was only an independent contractor to carry out the repairs to the vehicles of the Company on a remuneration of Rs. 200/- per month. He used his tools for effecting repairs. He did not enjoy any benefits like other Employees of the Management. I am unable to agree with the contentions of the Management for the following reasons:—

Letter No. GB/38/573 dated 22-11-1972 reveals that Shri William D'Costa, Mechanic, was required to work on all Sundays w.e.f. 26-11-1972 and was given his weekly off on Thursday in lieu of Sunday. He was further required in the said letter that he should inform about his material requirement on every previous day for carrying on the maintainance work of Trucks. He was also required to check all the trucks and keep them fit for the next day.

The contents of the said letter are self explanatory and no further elucidation is necessary to prove that Shri William D'Costa was an Employee of the Management or not.

The letter dated 6-3-1973 of the Management addressed to Shri William D'Costa can be construed as a letter of dismissal in as much as it informs that with effect from 7-1-1973 Shri William D'Costa should not maintain and repair the vehicle. He was further required to submit his quotation for major overhauling of Bedford Trucks. This also clearly shows that Shri William D'Costa was an employee of the Management. There are number of rulings of Supreme Court to support my findings that Shri William D'Costa is not an independent contractor but an Employee of the Management of Messrs. Goa Bottling Co. P. Ltd., Margao. The latest ruling in this behalf is reported in Silver Jubilee Tailoring House V/s Chief Inspector of Shops and Establishment vide 1973-ILLJ 495.

For the foregoing reasons, I have no hesitation to hold that Shri William D'Costa is an employee of the Messrs. Goa Bottling Company P. Ltd.

For the foregoing reasons, I reject the contention of the Management both in the case of Shri Eliz Rodrigues and Shri William D'Costa. I pass the following Award:—

1. Shri Eliz Rodrigues, Driver-cum-Salesman is reinstated with back wages and continuity of service with effect from 24-1-1973. He is also entitled to all the consequential benefits arising out of reinstatement as ordered above.
2. Shri William D'Costa is an Employee namely Mechanic with the Management of Goa Bottling Co. P. Ltd.
3. Mutual Agreement in respect of the dispute regarding Shri Menino Barreto and Shri Shamsunder Amonkar

is accepted as being fair and reasonable. I pass a consent Award in terms of the Agreement arrived at between the Management and the Sangh accordingly.

(Copy enclosed — Exhibit — M2).

No Order as to costs.

Sd/-

(N. D. Bodade)

Regional Labour Commissioner (C)

on deputation

Deputy Chairman

Mormugao Dock Labour Board

Arbitrator

Mormugao Harbour, 21st January, 1974.

Certified

D. Ramachandra

Commissioner Labour & Employment.
Panaji.

COPY

Exhibit W1

GOA BOTTLING Co. PVT. LTD.
Margao-Goa

Ref. No. GB/38/573

22nd November, 1972

Shri William D'Costa,
Mechanic,
Margao.

Dear Sir,

You are requested to work on all Sundays with effective from 26th November, 1972. You will be given your weekly off on Thursday.

You have to inform on the previous day any material you may require for maintenance the truck.

You have to check all the trucks and keep them fit for the next day.

Yours faithfully,

For Goa Botting Co. P. Ltd.,

Sd/-

(M. A. Caeiro)

Plant Manager.

COPY

Exhibit-W2

GOA BOTTLING Co. PRIVATE LIMITED
Margao-(Goa)

6th March, 1973

Mr. Willie D'Costa,
Margao-Goa.

Effective from 7th instant you will not maintain and repair our vehicles. However you are requested to give your quotation for major overhauling of our Bedford Trucks. Upon submission of quotation we shall let you know our decision.

Yours faithfully,

For Goa Bottling Co. Pvt. Ltd.,

Sd/-

Managing Director.

COPY

Exhibit M-1

No. 142/73
Office of the P. S. I.
Colem.

Dated: 23-1-1973

The Manager,
Gold Spot Factory,
Arlem, Margao.

Sir,

I have to inform you that your Driver by name Rodrigues who was driving a Goldspot van No. GDT-6215 in under

influence of alcohol. Hence he is arrested by this P. S. u/s 117 of M. V. Act and at present he is in Police Custody. It is therefore requested that you may send someone your Driver to take the gold spot van which is at present at Colem P. S.

Yours faithfully,

Sd/-

P. S. I. Collem

COPY

Exhibit-M2

Before Shri N. D. Bodade, Arbitrator in the Industrial Dispute

Between

Messrs. Goa Bottling Co. Pvt. Ltd., Margao

And

Workmen represented by Shri Shivram Ajgaonkar President, National Commercial Employees' Sangh, Panaji.

Ref: No. MDLB/2(27)/73 dated 29th Aug-1973.

Dear Sir,

With reference to the above referred arbitration, we hereby undertake to re-open the issue before your goodself for arbitration on the following specific issues:

1. Mr. Eliz Rodrigues

During the discussions at the office of the Goa Bottling Co. Pvt. Ltd. held on 5th November, '73 this matter could not be resolved amicably and hence we request you to take up the meeting between the representatives as early as possible.

2. Mr. Menino Barreto:

During the above discussions both representatives agreed to pay all his legal dues on or before 18th of this month in full and final settlement.

3. Mr. Shamsunder V. Amonkar:

The Management has agreed to withdraw the charges levelled against him.

4. Mr. William D'Costa:

Since the parties could not resolve the matter amicably, we request you in this matter also to take up an early meeting to solve the dispute.

We earnestly and jointly request your goodself to take up at an early date to resolve the above dispute as early as possible since they are long due.

Thanking you,

Sd/-

On behalf of
National Commercial
Employees' Sangh.

Shivram Ajgaonkar
President

Sd/-

On behalf of the
Management,
Goa Bottling Co. P. Ltd.

E. Soudagar
Personnel Officer.

Order

No. 1/358/74-LAB

Consequent upon the creation of the post of Commissioner, Labour and Employment vide Government Order No. SPL-EST-265 (16) dated 31-5-1973 it is hereby notified that the Office of the Labour Commissioner shall hereafter be called as 'the Office of the Commissioner, Labour and Employment, Panaji'.

All communications meant for the aforesaid Office should be addressed accordingly.

P. Noronha, Under Secretary, Industries and Labour.

Panaji, 6th February, 1974.

Notification

No. IT/INF-BDLTC/73

Government is pleased to nominate the following members on the Committee constituted to commemorate the death centenary of Dr. Bhau Daji Lad.

1. Smt. Shashikala Kakodkar, Chief Minister — Chairman.
2. Shri G. M. Lad — Vice-Chairman.
3. Shri Tito Menezes, Judicial Commissioner (Goa) — Member.
4. Shri Vasant Joshi, M.L.A., Vasco — Member.
5. Shri N. Naik, M.L.A., Margao — Member.
6. Shri M. S. Talaulikar, President, Goa Mining Association, Panaji — Member.
7. Shri Prabhakar Angle, Vice-President Goa Chamber of Commerce — Member.
8. Shri M. Y. Gadkari, Editor, Gomantak — Member.
9. Shri D. B. Karnik, Editor, Nav Prabha — Member.
10. Shri Chandrakant Keni, Editor, Rashtramat — Member.
11. Shri Evagrio Jorge, Editor, Urvadd — Member.
12. Shri K. S. K. Menon, Editor, Navhind Times — Member.
13. Shri J. F. D'Costa, President, Goa Press Circle — Member.
14. Prof. D. B. Wagh, Director, Centre of Post Graduate Research — Member.
15. Prof. M. H. Sardesai, Director of Education — Member.
16. Adv. Pandurang Mulgaonkar, Mapusa — Member.
17. Adv. S. Tamba, Panaji — Member.
18. Adv. G. Tamba, Panaji — Member.
19. Shri Ramkrishna Zuarkar, Nehru Yuvak Kendra — Member.
20. Shri Octavio Rodrigues, Goa Cultural Centre — Member.
21. Shri M. N. Padte, Director, Information and Public Relations — Member Secretary.

Whenever the non-official members attend any meeting of the Committee, they will be paid TA/DA at the rates admissible to 1st grade Government servants.

By order and in the name of the Administrator of Goa, Daman and Diu.

P. Noronha, Under Secretary, Industries and Labour.

Panaji, 14th February, 1974.

Revenue Department

Notification

No. RD/LQN/32/74

Whereas it appears to the Appropriate Government (hereinafter referred to as «the Government») that the land specified in the schedule hereto (hereinafter referred to as the «said land») is likely to be needed for public purpose viz. 12 mgd. Water supply Scheme C.I. Duplicate line (changed alignment) Cortalim to Vasco Road.

Therefore the Government is pleased to notify under subsection (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said Act») that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay

commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Government Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Dy. Collector, Goa, South Division, Margao to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

- 1. Collector of Goa, Panaji.
- 2. The Deputy Collector, Goa South Division, Margao.
- 3. The Superintending Engineer I, Circle I, P. W. D. Panaji.
- 4. The Executive Engineer, Works Division IX, P. W. D. Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector Goa, South Division, Margao, for a period of 30 days from the date of publication of this Notification in the Government Gazette.

SCHEDULE

(Description of the said land)

Taluka	Village	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6
Mormugao	Sancoale	1	—	Shri V. M. Salgaonkar and Brothers.	3605-00
Boundaries:					
North V. M. Salgaonkar.					
South: Public Road.					
East: — do —					
West: Nala.					
Total					3605-00

By order an in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. S. Bhatnagar, Secretary (Revenue).

Panaji, 13th February, 1974.

Notification

No. RD/LQN/19/74

Whereas it appears to the Appropriate Government (hereinafter referred to as «the Government») that the land specified in the schedule hereto (hereinafter referred to as the «said land») is likely to be needed for public purpose viz Bus Terminus at Margao.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said Act») that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Government Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector Goa, South Division, Margao to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

- 1. Collector of Goa, Panaji.
- 2. Deputy Collector, Goa, South Division, Margao.
- 3. The Member Secretary, Town Planning Committee, Govt. of Goa, Daman and Diu, P. W. D., Building, Altinho, Panaji.
- 4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector Goa South Division, Margao for a period of 30 days from the date of publication of this Notification in the Government Gazette.

SCHEDULE

(Description of the said land)

Taluka	Village	Plot No.	P. T. Sheet No.	Chalta No.	Name of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
Salcete	Margao	1	251	6	Shri Pedro Fernandes.	218.00
— do —	— do —	2	— do —	7	— do —	41.00
— do —	— do —	3	— do —	8	Quiteria Fernandes.	232.00
— do —	— do —	4	— do —	9	Shri Cipriano Fernandes.	169.00
— do —	— do —	5	— do —	10	— do —	119.00

1	2	3	4	5	6	7
Salcete	Margao	6	251	11	Shri Joaquim Manuel Coutinho.	1380.00
—do—	—do—	7	—do—	12	Shri Constancio Fernandes.	148.00
					2) Shri Francisco Xavier Fernandes.	
—do—	—do—	8	—do—	13	—do—	15.00
—do—	—do—	9	—do—	14	—do—	17.00
—do—	—do—	10	—do—	15	Shri Pedro Fernandes.	104.00
—do—	—do—	11	—do—	16	Shri Pedro Piedade C. Fernandes.	379.00
—do—	—do—	12	—do—	17	—do—	414.00
—do—	—do—	13	—do—	18	Shri Alber C. Cardozo.	483.00
—do—	—do—	14	—do—	19	—do—	39.00
—do—	—do—	15	—do—	20	—do—	39.00
—do—	—do—	16	—do—	21	—do—	63.00
—do—	—do—	17	—do—	22	—do—	115.00
—do—	—do—	18	—do—	23	—do—	157.00
—do—	—do—	19	—do—	24	Shri Albert C. Cardozo.	12.00
—do—	—do—	20	—do—	25	Shri Jose Gomes.	145.00
—do—	—do—	21	—do—	26	Smt. Josephine Baptista Gomes.	655.00
—do—	—do—	22	—do—	27	—do—	18.00
—do—	—do—	23	—do—	28	—do—	20.00
—do—	—do—	24	—do—	29	—do—	19.00
—do—	—do—	25	—do—	30	—do—	17.00
—do—	—do—	26	—do—	31	—do—	19.00
—do—	—do—	27	—do—	32	—do—	20.00
—do—	—do—	28	—do—	33	—do—	4.00
—do—	—do—	29	—do—	34	—do—	37.00
—do—	—do—	30	—do—	35	—do—	5.00
—do—	—do—	31	—do—	36	Shri Constancio Fernandes, Shri Francisco.	278.00
—do—	—do—	32	—do—	37	—do—	40.00
—do—	—do—	33	—do—	38	—do—	37.00
—do—	—do—	34	—do—	39	—do—	21.00
—do—	—do—	35	—do—	40	—do—	29.00
—do—	—do—	36	—do—	41	—do—	44.00
—do—	—do—	37	—do—	42	Shri Pedro Fernandes.	311.00
—do—	—do—	38	—do—	43	—do—	29.00
—do—	—do—	39	—do—	44	—do—	14.00
—do—	—do—	40	—do—	45	—do—	27.00
—do—	—do—	41	—do—	46	—do—	36.00
—do—	—do—	42	—do—	47	Shri Pedro Fernandes.	7.00
					Shri Joao Piedade Constancio Fernandes.	
					Shri Constancio Fernandes.	
					Shri Francisco Fernandes.	
—do—	—do—	43	—do—	48	Shri Joao Piedade Constancio Fernandes.	96.00
—do—	—do—	44	—do—	49	—do—	16.00
—do—	—do—	45	—do—	50	—do—	41.00
—do—	—do—	46	—do—	51	—do—	35.00
—do—	—do—	47	—do—	52	—do—	33.00
—do—	—do—	48	—do—	53	—do—	32.00
—do—	—do—	49	—do—	54	—do—	33.00
—do—	—do—	50	—do—	55	—do—	30.00
—do—	—do—	51	—do—	56	—do—	17.00
—do—	—do—	52	—do—	57	—do—	13.00
—do—	—do—	53	—do—	58	—do—	10.00
—do—	—do—	54	—do—	59	—do—	29.00
—do—	—do—	55	—do—	60	—do—	20.00
—do—	—do—	56	—do—	61	—do—	13.00
—do—	—do—	57	—do—	62	—do—	19.00
—do—	—do—	58	—do—	63	Shri Shaik Mohidin Shaik Daud.	911.00

1	2	3	4	5	6	7
Salcete	Margao	59	251	64	Shri Govind Poi Angle. Shri Vishnu Poi Angle.	1118.00
— do —	— do —	60	251 and 252	141 Part	Not known.	1634.00
— do —	— do —	61	— do —	Nala	—	1506.00
— do —	— do —	62	— do —	1	Shri Francisco Barreto.	48.00
— do —	— do —	63	— do —	2	— do —	48.00
— do —	— do —	64	— do —	3	— do —	29.00
— do —	— do —	65	— do —	4	— do —	23.00
— do —	— do —	66	— do —	5	— do —	47.00
— do —	— do —	67	— do —	189	Shri Francisco C. Barreto.	73.00
— do —	— do —	68	— do —	190	— do —	8.00
— do —	— do —	69	— do —	191	— do —	54.00
— do —	— do —	70	— do —	192	— do —	17.00
— do —	— do —	71	— do —	193	— do —	22.00
— do —	— do —	72	— do —	194	— do —	34.00
— do —	— do —	73	— do —	195	— do —	48.00
— do —	— do —	74	— do —	196	— do —	58.00
— do —	— do —	75	— do —	185 Part	— do —	24.00
— do —	— do —	76	— do —	183 Part	— do —	14276.00
— do —	— do —	77	— do —	144P+145P +157P	Smt. Quiterina P. Fernandes. Shri Joao Manuel Baptista.	65.00
— do —	— do —	78	— do —	Part of road	—	35.00
Total						26,491.00

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. S. Bhatnagar, Secretary (Revenue).

Panaji, 13th February, 1974.

Notification

No. RD/LQN/136/73

Whereas by Government Notification No. RD/LQN/136/73 dated 4-7-73 published on page 124 of Series II, No. 15 of the Government Gazette, dated 12-7-73 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as «the said Act») that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the «said land») was likely to be needed for the public purpose viz. Expansion of Tourist Resort at Calangute.

And whereas the appropriate Government (hereinafter referred to as «the Government») is satisfied after considering the report made under sub-section (2) of Section 5A of the

said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Land Acquisition Officer, Panaji to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Land Acquisition Officer, Collector's Office Panaji till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1.	Bardez	Calangute	1	200 (2-Part)	Shri Ildefonso Coutinho. C/o Seriano Lobo, Umtavado-Calangute, Bardez, Goa.	793.20
2.	— do —	— do —	2	200 (2-Part)	Shri Felizardo Lobo. C/o Seriano Lobo, Umtavaddo, Calangute, Bardez. b) Smt. Margarida Lobo. C/o Rosario Lobo, Umtavaddo, Calangute, Bardez. c) Smt. Conceicao Lobo, Bairro Palmar, Santo Estavam, Goa. d) Maria Carolina E. Lobo.	675.62
3.	— do —	— do —	3	200 (2-Part)	Shri Domnic Fernandes. C/o Rosario Lobo, Umtavado, Calangute Bardez.	551.83
3.	— do —	— do —	4	200(3)	Shri Norberto Gomes. C/o Alzira Lobo, Near Gomes House, Corlim, Mapusa.	883.00

1	2	3	4	5	6	7
4.	Bardez	Calangute	5	200-3-B-Part	Shri Cyril Santiago, Candolim, Bardez.	535.00
5.	— do —	— do —	6	200-13	Shri Joaquim Silveira, C/o Camilo Miranda, Life Guard, Tourist Resort, Calangute, Bardez.	1144.45
Total						4583.10

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. S. Bhatnagar, Secretary (Revenue).

Panaji, 18th February, 1974.

Law and Judiciary Department

Notification

No. LD/217/74

The following notification received from the Government of India, Ministry of Labour New Delhi, is hereby published for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 2nd February, 1974.

GOVERNMENT OF INDIA

(BHARAT SARKAR)

MINISTRY OF LABOUR

SHRAM MANTRALAYA

New Delhi 110001, dated the 3rd December, 1973

Notification

S O. In exercise of the powers conferred by sub-section (3) and (4) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the late Ministry of Labour and Employment No. S. O. 1220, dated the 15th April, 1965, read with the notification of the Government of India in the late Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S. O. 2930 dated the 20th August, 1968, namely:—

In the first mentioned notification:—

(i) for items (1) to (4) under the heading

«Members representing the Central Government»

the following items shall respectively be substituted namely:—

“(1) Shri R. J. Majithia — Chairman, Mormugao Port Trust, Mormugao.

(2) The Deputy Chairman — Mormugao Dock Labour Board, Mormugao.

(3) The Labour Commissioner — Government of Goa, Panaji.

(4) The Assistant Labour Commissioner (Central) Vasco-da-Gama”.

(ii) for items (3) and (4) under the heading

«Members representing the dock workers»

the following items shall respectively be substituted namely:—

“(3) Shri Gerald Pereira } Representatives of the Mormugao Waterfront Workers' Union”.
(4) Shri Gopinath Vaman Rao }

(iii) for items (1) to (4) under the heading

«Members representing the employers of dock workers and Shipping companies»

the following items shall respectively be substituted namely:—

“(1) Shri Floriano C. R. Machado. } Representatives of the Mormugao Stevedores' Association.
(2) Shri V. S. Manerkar }

(3) Shri A. V. Prabhu — Representative of the India National Shipowners' Association.

(4) Shri J. H. Thakkar — Representative of the Mormugao Steamship Agents' Association.

(iv) for paragraph 2, the following paragraph shall be substituted namely:—

“2. The Central Government hereby nominates Shri R. J. Majithia, Chairman, Mormugao Port Trust, Mormugao, as the Chairman of the said Board”.

Sd./-

V. SANKARALINGAM

Under Secretary

Corrigendum

No. LD/216/74

Read: Government Order No. LD/216/74 dated 2-2-1974.

In the order published in the Official Gazette on page 443, Series II, No. 45 dated 7-2-1974 the word «three» appearing in line one of the order mentioned above is omitted.

M. S. Borkar, Under Secretary (Law).

Panaji, 15th February, 1974.

Corrigendum

In the Order No. RD/END/125/73-74 dated 1-2-74 published at page 439 of the Official Gazette No. 45, Series II dated 7-2-74 the, 4th line may be read as follows:

«to the staff working in the Mazanias Sections of various Talukas in Goa».

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